

**ONEIDA COUNTY PLANNING and DEVELOPMENT COMMITTEE
FEBRUARY 7, 2018
COUNTY BOARD ROOM – 2ND FLOOR
ONEIDA COUNTY COURTHOUSE
RHINELANDER, WI 54501**

Members present: Scott Holewinski, Mike Timmons, and Jack Sorensen

Members absent: Billy Fried and Dave Hintz

Department staff present: Pete Wegner, Assistant Director; Scott Ridderbusch, Land Use Specialist; Karla Blankenship, Land Use Specialist; and Julie Petraitis; Program Assistant

Other county staff present: Mike Romportl, Land Information Director

Guests present: See sign in sheet.

Call to order.

Chairman Scott Holewinski called the meeting to order at 1:00 pm, in accordance with the Wisconsin Open Meeting Law.

Approve the agenda. **Motion by Jack Sorensen, second by Mike Timmons to approve the agenda. With all members present voting “aye”, the motion carried.**

Public comments. **None.**

Approve meeting minutes of

Motion by Mike Timmons, second by Jack Sorensen to approve the meeting minutes of January 10, 2018 and January 17, 2018. With all members present voting “aye”, the motion carried.

Resolution for rezone petition #11-2017 in the Town of Hazelhurst. The committee will be reviewing the resolution to forward to the Oneida County Board of Supervisors.

Motion by Jack Sorensen, second by Mike Timmons to approve the resolution for rezone petition #11-2017, a rezone in the Town of Hazelhurst, and forward to the Oneida County Board of Supervisors. With all members present voting “aye”, the motion carried.

Discussion/decision on Section 9.17, Unsafe Structures of the Oneida County Zoning and Shoreland Protection Ordinance. The committee will be reviewing Section 9.17 and prohibiting unsafe structures and Article 10, adding a definition of unsafe structure.

Mr. Wegner read the changes to Section 9.17 and definition of Unsafe Structure into the record.

Motion by Jack Sorensen, second by Mike Timmons to approve the changes.

Discussion was held on the definition. With all members present voting “nay”, the motion failed.

Motion by Jack Sorensen, second by Mike Timmons to instruct Staff to work on the definition and bring back to the committee. With all members present voting “aye”, the motion carried.

Discussion/decision on 2017 Wisconsin Act 59 as it relates to the prohibition on local municipalities from prohibiting rentals for less than thirty (30) consecutive days.

Staff provided the committee with examples of other Counties ordinance language to review and will bring this item back to committee next week. **No action was taken.**

Discussion/decision on the fee schedule for staff review for all types of permits; including but not limited to zoning, septic, and land division. Resolution for fee schedule. The committee will be reviewing the resolution to forward to the Oneida County Board of Supervisors.

Motion by Mike Timmons, second by Jack Sorensen to approve the Resolution for the fee schedule and forward to the Oneida County Board of Supervisors. With all members present voting “aye”, the motion carried.

Discussion/decision on AB 713 “Conforming a floodplain ordinance to a federal letter of map amendment.” The committee will be discussing the bill and may take a position for or against the assembly bill. Mike Romportl, Land Information Director, was present to talk to the committee about this. Motion by Jack Sorensen, second by Mike Timmons to support Assembly Bill 713, with amendments, and authorize the letter to be sent to Representative Ed Brooks, Chair Assembly Committee on Local Government, stating that the Oneida County Planning and Development Committee supports AB 713. With all members present voting “aye”, the motion carried.

Discussion/decision on staff attendance to US Geological Survey Tribal Mining Workshop on February 14 and 15, 2018 in Keshena, WI.

Mr. Wegner stated that one or two Staff members would attend.

Motion by Scott Holewinski, second by Jack Sorensen to direct the Zoning Director send Staff as he sees fit. With all members present voting “aye”, the motion carried.

Discussion/decision on staff attendance to UW Extension Local Land Use, Planning and Zoning during the months of February – May 2018.

Motion by Mike Timmons, second by Jack Sorensen to allow the Zoning Director to send appropriate staff at his discretion. With all members present voting “aye”, the motion carried.

Discuss/decision/prioritization of 2018 Oneida County Planning and Zoning Department projects.
No action taken.

Refunds. **None.**

Line item transfers, purchase orders, and bills. **None.**

Approve future meeting dates: **February 14, 21, and 28, 2018.**

Public comments. **None.**

Future agenda items. **As discussed.**

CONDUCT PUBLIC HEARING ON THE FOLLOWING:

Conditional Use Permit application by Peter Nomm, proposed owner/applicant, to construct and operate Northern Waters Distillery for production and retail operations with outdoor seating on the following vacant property: Lot 2 CSM 4096, being part of NW 1/4 NE 1/4, SW 1/4 NE 1/4, Section 23, T39N, R6E, PIN MI 2328-1, Town of Minocqua.

Mr. Wegner read the notice of public hearing into the record. It was published on January 23 and 30, 2018 and posted on the Courthouse bulletin board on January 18, 2018.

Correspondence in the file includes a letter from the Town of Minocqua recommending approval with conditions.

Scott Ridderbusch, Land Use Specialist, stated that this is an existing business wishing to relocate and expand.

If the committee feels the general standards have been met Staff would recommend approval with the following conditions:

1. The project is commenced within 3 years from date of issuance.
2. Nature and extent of the use shall not change from that described and approved in the Conditional Use Permit.
3. Proper permits to be obtained prior to the start of construction (Town/County/State).
4. Signage to comply with 9.78, Sign Regulations, of the Oneida County Zoning and Shoreland Protection Ordinance as amended 05-21-2017.
5. May be subject to DOT requirements.
6. May be subject to Oneida County Dept. of Health review and approval.
7. Subject to Erosion Control/Stormwater Management Plan as required within the shoreland area pursuant to 9.97 of the Oneida County Zoning and Shoreland Protection Ordinance.
8. Parking to conform to 9.77, Off-street parking and Loading Space of the Oneida County Zoning and Shoreland Protection Ordinance as amended 05-21-2017. Parking is limited and must maintain a 75' setback from the OHWM.
9. Exterior lighting must be downcast and shielded from above.
10. Dumpster(s), if used, to be screened from view. Applicant to recycle waste material as required.
11. Subject to DNR, County and Town of Minocqua approval if alternate method(s) are used for non-contact cooling water discharge.
12. Addressing and 911 information must be approved by Oneida County Land Information Department once a zoning permit has been obtained.
13. Subject to Town approval and recommendations.

Chairman Holewinski opened the public portion of the public hearing. The owners were present and in favor of the project.

Chairman Holewinski closed the public portion of the public hearing

Motion by Mike Timmons, second by Jack Sorensen to approve the Conditional Use Permit as the General Standards have been met and with Staff conditions. With all members present voting “aye”, the motion carried.

Ordinance Amendment #1-2018 authored by the Planning and Development Committee to amend Chapter 13, Subchapter 5, 13.51, Septic Tank Maintenance Program and 13.53, Property Transfer Requirements.

Additions noted by underline and deletions by strikethrough:

13.51 SEPTIC TANK MAINTENANCE PROGRAM.

- 6. The owner or owner’s agent of a POWTS shall furnish, in a manner specified by the county, the Department with a copy of the inspection report verifying the condition of the tank, whether wastewater or effluent from the POWTS is ponding on the ground surface and the date of pumping within 30 calendar days of the date of inspection and pumping. Reports shall include all information required in SPS 383.55, Wisconsin Administrative Code, and be signed by the person(s) inspecting and pumping the private sewage system. Other maintenance or management reports required by SPS 383 or SPS 384, Wisconsin Administrative Code, shall b Included with this report.

13.51 (1) through (5) and (7) remain the same.

13.53 PROPERTY TRANSFER REQUIREMENTS is being deleted in its entirety to comply with 2015 Wisconsin Act 55.

Ordinance Amendment #1-2018, authored by the Planning and Development Committee to amend Chapter 15, Section 15.16 Application and Review of Minor Subdivisions and Section 15.18 Application and Review of Proposed Town, County, and State Subdivisions.

Additions noted by underline and deletions by ~~strikethrough~~.

15.16 APPLICATION AND REVIEW OF MINOR SUBDIVISIONS-

15.16 (1) through (2) (r) remain the same and 15.16 (3) through (10) remain unchanged.

S. POWTS Inspection (POWTS installed prior to July 1, 1980)

- 1. An existing POWTS inspection is required for all minor subdivisions for POWTS installed prior to July 1, 1980. A system regulated by the mandatory maintenance program specified in Chapter 13.53 (1) of the Oneida County Private Onsite Wastewater Treatment Systems Ordinance at the time of division or transfer may be precluded from this section at the discretion of the Zoning Administrator. An existing system inspection is not required if a letter from the host municipality is submitted to the Zoning Office stating a date by which the structure is required to be connected to a sanitary sewer.

2. To adequately determine whether an existing POWTS is failing under conditions defined in s. 145.245(4), Stats., an existing system inspection must include:
 - a. An observation boring described by a certified soil tester extending 3' below the bottom of the absorption area, which is large enough to clearly depict the presence of groundwater, bedrock, or seasonally saturated soils, which adversely affect the operation of the system. The Zoning Office may allow use of a previously filed soil test conducted in the area near the failing system to verify soil conditions if deemed reliable by the Zoning Director.
 - b. A report provided by a plumber, certified septage servicing operator, certified POWTS inspector or other person(s) authorized to do so by SPS 383, Wisconsin Administrative Code, relative to the condition, capacities, and code compliance of any existing treatment of holding tanks.
 - c. A report provided by a plumber, certified POWTS inspector, or other person(s) authorized to do so by SPS 383, Wisconsin Administrative Code, relative to the condition, capacities, and code compliance of all other system components.
 - d. A plot plan prepared by a plumber, certified soil tester, certified POWTS inspector, or other person(s) authorized to do so by SPS 383, Wisconsin Administrative Code, including information specified in §13.31(3)(D)3, unless an accurate plot plan is on file with the department.
 - e. An evaluation of the use and wastewater flow of the structure(s) served relative to the capacity of the existing POWTS.
 - f. Verification that all domestic wastewater from the structure discharges into the POWTS.
 - g. A county inspection to verify the results of the existing system inspection may be required. Any cost associated with the inspection including, but not limited to backhoe pits or pumping fees are the responsibility of the owner at the time of the inspection.
 - h. Existing system inspection reports must be submitted to the Zoning Office on forms obtained from the Zoning Office within thirty days of completion of inspection.

15.18 APPLICATION AND REVIEW OF PROPOSED TOWN, COUNTY AND STATE SUBDIVISIONS.

15.18 (1) AND 15.18 (3) TROUGH (7) REMAIN UNCHANGED.

2. Preliminary Plat Submittal Requirements. The items outlined for a minor subdivision in Subsection 15.16 (2) (~~A-P~~ S) shall apply to town, County, and State subdivisions in addition to the following:

A. The preliminary plat shall be by a land surveyor registered in Wisconsin and comply with the requirements of §236.11, Wis. Stats.

Mr. Wegner read the notice of public hearing into the record. It was published on January 23 and 30, 2018 and posted on the Courthouse bulletin board on January 18, 2018.

There was no correspondence in the file.

Mr. Wegner went through the changes with the committee.

Chairman Holewinski opened the public portion of the public hearing.

There was nobody present that wanted to comment.

Chairman Holewinski closed the public portion of the public hearing.

Motion by Jack Sorensen, second by Mike Timmons to approve Ordinance Amendment #1-2018 and forward to the Oneida County Board of Supervisors. With all members present voting “aye”, the motion carried.

Adjourn.

2:25 p.m. There being no further matters to lawfully come before the Committee, a motion was made by Mike Timmons, second by Scott Holewinski to adjourn the meeting. With all members present voting “aye”, the motion carried.

Chairman Scott Holewinski

Karl Jennrich
Planning & Zoning Director